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In the Name of God, the Merciful, the Beneficent

Law No. 12 of 1993 on Amendment of some provisions of Law No. 24 of 1962 on Clubs and Public Service Associations

- Cognizant of the Constitution;
- And law No. 24 of 1962 on the clubs and the public service associations as well as the laws amending it;

The Nation's Assembly has passed the following law and we have ratified and issued it:

Article (1)

The text of article (10) of the aforementioned law No. 24 of 1962 shall be replaced by the following text:

“Every association or club shall have a Board of Directors consisting of no less than five members. The term of their membership shall not exceed two years. This term may be renewed in accordance with the system of the club or the association which specifies - in the light of the provisions of this law - the Board's competences, its action policy, way of election of its members and the expiry of their membership.”

Article (2)

The text of article (13) of the aforementioned law No. 24 of 1962 shall be replaced by the following text:

“The General Assembly shall consist of all the Kuwaiti members who have fulfilled their commitments prescribed by the system of the association or the club and who have no less than 6-month-old membership. Non-Kuwaiti members shall have the right to benefit from the association facilities as associate members.”

Article (3)

Every provision contradicting the provisions of this law shall be abolished.

Article (4)

The ministers, each in his specialization, shall be responsible for the enforcement of this law. The law shall be valid from the date of its promulgation in the Official Gazette.

Emir of Kuwait

Jaber Al-Ahmad Al-Subah

(Issued on Safar 21, 1414 Hegira- August 9, 1993 A.D.)

Explanatory Memorandum
On Draft Law Amending Some of the Provisions of Law No. 24 of 1962
Concerning the Clubs and Public Service Associations

To establish a club or a public service association, the founders –according to article (5) of law No. 24 of 1962 on the clubs and public service associations- have to convene as a constituent assembly to lay down a written system. In its data, this system clarifies - among other things - the system of the Board of Directors and the General Assembly vested with absolute discretionary powers permitting them to unrestrictedly take whatever decisions they deem appropriate. Hence, this system differs from one club or association to another even though there is a somewhat common origin or a common stamp and though the activities are of the same nature. As the membership of the General Assembly is accessible to whoever has the right to attend it from those who have fulfilled their commitments prescribed by the system of the association or the club and who have no less than 6-month-old membership, Kuwaitis and non-Kuwaitis, and since the General Assembly discusses issues that may be primarily crucial for the Kuwaiti interests given the top priority and preferred to be decided only by the owners of these interests, therefore, the formation of the General Assembly - out of keenness on the safeguard of the interests - shall be restricted to the Kuwaiti members from those who have fulfilled the commitments defined by the system of the association or the club and with at least 6-month-old membership. Taking the General Assembly's resolutions shall be limited to the Kuwaiti members only as they are the real owners of interests.

For the promotion of performance, infusing more vigor and boosting the spirit of competition among the renewable members of the Board of Directors and for the prevention of laxity, the term of Board membership has been reduced from four to two years. This amendment combines two advantages:

- (1)- It urges the Board member to exert ceaseless efforts that recommend the renewal of his membership prescribed in article (10) of the law.
- (2)- It helps to inject new blood into the Board, a matter that upgrades the Board's performance and enables it to properly carry out its assignments.